

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
E/S Oella Avenue * DEPUTY ZONING COMMISSIONER
400' N of c/l * OF BALTIMORE COUNTY
of Hollow Road * Case No. 91-408-A
1st Election District
1st Councilmanic District
Charles L. Wagandt
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances from the Baltimore County Zoning Regulations and Comprehensive Manual of Development Policies, in lieu of the required (1) window to window distance of 40'; window to street R/W, property line setback of 25'; building to street centerline setback of 50'; building to street R/W setback of 25'; open porch to street centerline setback of 37.5'; open porch to street R/W of 18.75'; window to tract boundary setback of 35'; building to tract boundary setback of 30'; open porch to tract boundary of 26.25'; window to property line setback of 15'; dwelling unit or windowed door to centerline of travelled way setback of 47'; building separation of 40'; open porch to side property line setback of 11.25'; parking space dimensions of 8.5' by 18'; and, two-way aisle width of 22'; all as more particularly described in Petitioner's Exhibit 1.

The Petitioner, Charles D. Wagandt, appeared, testified and was represented by Stuart D. Kaplow, Esquire. Also appearing on behalf of the petitioner was Wesley Daub, Civil Engineer. There were no Protestants.

Testimony indicated that the subject property is a tract of land located and lying along Oella Avenue known as Oella

Subdivision, tract 5. Petitioner testified that the proposed development is in keeping with the comprehensive plan for Oella, as more particularly described in Petitioner's Exhibit 3.

Testimony presented by both Mr. Wagandt and Mr. Daub indicated that the requested variances were required due to the modern setback requirements on this historic village and the topography of the land and environmental constraints, which involves steep slopes and the river to the rear. Testimony indicated that the housing units have been and will be developed tightly around the road on keeping with the historic character of the village. Petitioner indicated that the improvements on the property are listed in the National Historic Register and are a portion of the Oella National Historic District. The property has been in the Petitioner's family since 1887. In 1973 the remaining interests of other family members were conveyed to the Petitioner, who initiated the renovation of the historic village.

Testimony presented further indicated that the granting of the requested variances will have no adverse impact on adjacent properties. The granting of the variances will not result in any detriment to the health, safety or general welfare of the neighborhood.

An area variance may be granted where strict application of the Zoning Regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208

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(1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of July, 1991 that the Petition for Zoning Variance,

1. Lot 4: To permit a window to window distance of 33' in lieu of 40';
To permit a window to street R/W, property line setback of 19' in lieu of 25'.
2. Lot 5: To permit a window to window distance of 33' in lieu of 40'.

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3. Lot 6: To permit a building to street centerline setback of 25' in lieu of 50';
To permit a building to street right of way setback of 12' in lieu of 25';
To permit an open porch to street centerline setback of 17' in lieu of 37.5';
To permit an open porch to street right of way setback of 5' in lieu of 18.75';
To permit a window to tract boundary setback of 25' in lieu of 35';
To permit a building to tract boundary setback of 25' in lieu of 30';
To permit an open porch to tract boundary setback of 17' in lieu of 26.25';
To permit a window to street right of way, property line setback of 12' in lieu of 25'.

4. Lot 7: To permit a building to street centerline setback of 29' in lieu of 50';
To permit a building to street right of way setback of 15' in lieu of 25';
To permit an open porch to street centerline setback of 21' in lieu of 37.5';
To permit an open porch to street right of way setback of 7' in lieu of 18.75';
To permit a window to tract boundary setback of 29' in lieu of 30';
To permit an open porch to tract boundary setback of 21' in lieu of 26.25';
To permit a window to street right of way property line setback of 15' in lieu of 25';
To permit a window to property line setback of 0' in lieu of 15'.

5. Lot 8: To permit a window to street right of way, property line setback of 5' in lieu of 25';
To permit a window to property line setback of 5' in lieu of 15';
To permit a dwelling unit or windowed door to centerline of travelled way setback of 25' in lieu of 47'.

6. Lot 9: To permit a window to street right of way, property line setback of 11' in lieu of 25';
To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47'.

7. Lot 10: To permit a window to street right of way, property line setback of 11' in lieu of 25';

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8. Lot 11: To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47';
To permit a minimum building separation of 36' in lieu of 40';
To permit a window to window distance at 37' in lieu of 40';
To permit a window to street right of way, property line setback of 11' in lieu of 25';
To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47'.
9. Lot 12: To permit a minimum building separation of 36' in lieu of 40';
To permit a window to window distance of 37' in lieu of 40';
To permit a window to street right of way, property line setback of 11' in lieu of 25';
To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47'.
10. Lot 13: To permit a window to street right of way, property line setback of 11' in lieu of 25';
To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47'.
11. Lot 14: To permit a window to street right of way, property line setback of 11' in lieu of 25';
To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47'.
12. Lot 15: To permit a window to street right of way, property line setback of 11' in lieu of 25';
To permit a dwelling unit or windowed door to centerline of travelled way setback of 37' in lieu of 47'.
13. Lot 16: To permit a minimum building separation of 12' in lieu of 30';
To permit an open porch to side property line setback of 7' in lieu of 11.25';
To permit a window to window distance at 12' in lieu of 40';
To permit a window to property line setback of 7' in lieu of 15'.

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14. Lot 17: To permit a minimum building separation of 12' in lieu of 30';
To permit an open porch to side property line setback of 5' in lieu of 11.25';
To permit a window to window distance of 12' in lieu of 40';
To permit a window to property line setback of 5' in lieu of 15'.
15. Lot 20: To permit a minimum building separation of 15' in lieu of 30';
To permit an open porch to side property line setback of 7.5' in lieu of 11.25';
To permit a window to window distance of 15' in lieu of 40';
To permit a window to property line setback of 7' in lieu of 15'.
16. Lot 21: To permit a minimum building separation of 15' in lieu of 30';
To permit an open porch to side property line setback of 7.5' in lieu of 11.25';
To permit a window to window distance of 15' in lieu of 40';
To permit a window to tract boundary setback of 17' in lieu of 35';
To permit a building to tract boundary setback of 16' in lieu of 30';
To permit an open porch to tract boundary setback of 20' in lieu of 26.25';
To permit a window to property line setback of 7' in lieu of 15'.
17. Lot 22: To permit a window to property line setback of 7' in lieu of 15'.
18. Lot 23: To permit a minimum building separation of 14' in lieu of 30';
To permit an open porch to side property line setback of 7' in lieu of 11.25';
To permit a window to window distance of 14' in lieu of 40';
To permit a window to property line setback of 7' in lieu of 15'.
19. Lot 24: To permit a minimum building separation of 14' in lieu of 30';
To permit an open porch to side property line setback of 7' in lieu of 11.25';
To permit a window to window distance of 14' in lieu of 40';

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20. Lot 25: To permit a minimum building separation of 4' in lieu of 30';
To permit a window to window distance of 6' in lieu of 48';
To permit a window to property line setback of 3' in lieu of 15'.
21. Lot 26: To permit a minimum building separation of 4' in lieu of 30';
To permit a window to window distance of 6' in lieu of 40';
To permit a window to property line setback of 3' in lieu of 15'.
22. Lot 27: To permit a minimum building separation of 14' in lieu of 30';
To permit an open porch to side property line setback of 7' in lieu of 11.25';
To permit a window to window distance of 14' in lieu of 40';
To permit a window to property line setback of 7' in lieu of 15'.
23. Lot 28: To permit a minimum building separation of 14' in lieu of 30';
To permit an open porch to side property line setback of 7' in lieu of 11.25';
To permit a window to window distance of 14' in lieu of 40';
To permit a window to property line setback of 6' in lieu of 15'.
24. Lot 29: To permit a minimum building separation of 14' in lieu of 30';
To permit an open porch to side property line setback of 7' in lieu of 11.25';
To permit a window to window distance of 14' in lieu of 40';
To permit a window to property line setback of 6' in lieu of 15'.
25. Lot 30: To permit a minimum building separation of 14' in lieu of 30';
To permit an open porch to side property line setback of 7' in lieu of 11.25';
To permit a window to window distance of 14' in lieu of 40';
To permit a window to property line setback of 6' in lieu of 15'.

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26. Lot 31: To permit a minimum building separation of 14' in lieu of 30';
To permit an open porch to side property line setback of 7' in lieu of 11.25';
To permit a window to window distance of 14' instead of 40';
To permit a window to property line setback of 6' in lieu of 15'.
 27. Lot 32: To permit a minimum building separation of 14' in lieu of 30';
To permit an open porch to side property line setback of 7' in lieu of 11.25';
To permit a window to window distance of 14' in lieu of 40';
To permit a window to property line setback of 6' in lieu of 15'.
 28. Lot 33: To permit a window to property line setback of 3' in lieu of 15'.
 29. Lot 22: To permit parking space dimensions for the required 24 spaces to be 8.5' by 17' in lieu of 8.5' by 18';
To permit a two-way aisle width for the proposed perpendicular parking to be 14' in lieu of 22';
- all as more particularly described in Petitioner's Exhibit 1, he and is hereby GRANTED, subject, however, to the following restriction, which is a condition precedent to the relief granted:

The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

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April 10, 1991

ZONING DESCRIPTION
Lot 10

BEGINNING on the northwest side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 456 feet south of the centerline of Oella Avenue as measured along the northwesterly side of the Proposed County Road and binding along said northwest side the following course and distance, (1) South 32°15'07" West, 28.00 feet, thence leaving said northwest side of the Proposed County Road and running for lines of division the following course and distance, (2) North 57°44'53" West, 124.45 feet to a point on the easterly outline of "Parcel C1, Short Brick Row," of the Plat of "Oella, Parcels A, B, C1 and C2 for Herring Hill, Long Brick Row and Short Brick Row, Sheet 1 of 2" dated June 19, 1984 and recorded among the Plat Records of Baltimore County in Plat Book No. 51, at folio 81 and thence running with and binding on said easterly outline of Parcel C1 the following course and distance, (3) North 37°13'54" East, 28.11 feet, thence leaving the outline of Parcel C1 and running for lines of division the following course and distance, (4) South 57°44'53" East, 122.01 feet to the point of BEGINNING. Containing 0.0792 acres of land, more or less. Also known as Lot 10, Oella Site 5.

ED#31Lok10

April 10, 1991

ZONING DESCRIPTION
Lot 11

BEGINNING on the northwest side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 414 feet south of the centerline of Oella Avenue as measured along the northwesterly side of the Proposed County Road and binding along said northwest side the following course and distance, (1) South 32°15'07" West, 43.26 feet, thence leaving said northwest side of the Proposed County Road and running for lines of division the following course and distance, (2) North 57°44'53" West, 122.01 feet to a point on the easterly outline of "Parcel C1, Short Brick Row," of the Plat of "Oella, Parcels A, B, C1 and C2 for Herring Hill, Long Brick Row and Short Brick Row, Sheet 1 of 2" dated June 19, 1984 and recorded among the Plat Records of Baltimore County in Plat Book No. 51, at folio 81 and thence running with and binding on said easterly outline of Parcel C1 the two following courses and distances, (3) North 37°13'54" East, 9.77 feet, (4) North 10°15'52" East, 66.14 feet, thence leaving the outline of Parcel C1 and running for lines of division the following course and distance, (5) South 46°57'43" East, 148.56 feet to the point of BEGINNING. Containing 0.1686 acres of land more or less. Also known as Lot 11, Oella Site 5.

ED#31Lok11

April 10, 1991

ZONING DESCRIPTION
Lot 12

BEGINNING on the northwest side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 373 feet south of the centerline of Oella Avenue as measured along the northwesterly side of the Proposed County Road and binding along said northwest side the two following courses and distances, (1) Southwesterly along a curve to the left, having a radius of 110.00 feet, for a distance of 21.36 feet, being subtended by a chord bearing and distance of South 37°48'56" West 21.33 feet; (2) South 32°15'07" West, 22.06 feet, thence leaving said northwest side of the Proposed County Road and running for lines of division the three following courses and distances, (3) North 46°57'43" East, 115.31 feet; (4) North 51°12'59" East, 58.02 feet; (5) South 38°47'01" East, 102.03 feet to the point of BEGINNING. Containing 0.1241 acres of land, more or less. Also known as Lot 12, Oella Site 5.

ED#31Lok12

April 10, 1991

ZONING DESCRIPTION
Lot 13

BEGINNING on the northwest side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 350 feet south of the centerline of Oella Avenue as measured along the northwesterly side of the Proposed County Road and binding along said northwest side the following course and distance, (1) southwesterly along a curve to the left, having a radius of 110.00 feet, for a distance of 28.08 feet, being subtended by a chord bearing and distance of South 50°41'29" West, 28.00 feet, thence leaving said northwest side of the Proposed County Road and running for lines of division the three following courses and distances, (2) North 38°47'01" West, 102.03 feet; (3) North 51°12'59" East, 28.00 feet; (4) South 38°47'01" East, 101.77 feet to the point of BEGINNING. Containing 0.0651 acres of land, more or less. Also known as Lot 13, Oella Site 5.

ED#31Lok13

April 10, 1991

ZONING DESCRIPTION
Lot 14

BEGINNING on the northwest side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 327 feet south of the centerline of Oella Avenue as measured along the northwesterly side of the Proposed County Road and binding along said northwest side the following course and distance, (1) Southwesterly along a curve to the left, having a radius of 110.00 feet, for a distance of 28.98 feet, being subtended by a chord bearing and distance of South 65°33'07" West, 28.90 feet, thence leaving said northwest side of the Proposed County Road and running for lines of division the three following courses and distances, (2) North 38°47'01" West, 101.77 feet; (3) North 51°12'59" East, 28.00 feet; (4) South 38°47'01" East, 108.93 feet to the point of BEGINNING. Containing 0.0673 acres of land, more or less. Also known as Lot 14, Oella Site 5.

ED#31Lok14

April 10, 1991

ZONING DESCRIPTION
Lot 15

BEGINNING on the northwest side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 304 feet south of the centerline of Oella Avenue as measured along the northwesterly side of the Proposed County Road and binding along said northwest side the following course and distance, (1) Southwesterly along a curve to the left, having a radius of 110.00 feet, for a distance of 27.33 feet, being subtended by a chord bearing and distance of South 80°13'07" West, 27.26 feet, thence leaving said northwest side of the Proposed County Road and running for lines of division the four following courses and distances, (2) North 38°47'01" West, 108.93 feet; (3) North 51°12'59" East, 43.00 feet; (4) South 38°47'01" East, 91.41 feet, (5) South 06°50'49" East, 36.22 feet to the point of BEGINNING. Containing 0.1098 acres of land, more or less. Also known as Lot 15, Oella Site 5.

ED#31Lok15

April 10, 1991

ZONING DESCRIPTION
Lot 16

BEGINNING on the south side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 222 feet south of the centerline of Oella Avenue as measured along the southeasterly side of the Proposed County Road and binding along said south side the following three courses and distances, (1) North 62°01'53" West, 34.13 feet; (2) Southwesterly along a curve to the left, having a radius of 70.00 feet, for a distance of 104.72 feet, being subtended by a chord bearing and distance of South 75°06'37" West, 95.23 feet; (3) South 32°15'07" West, 47.49 feet, thence leaving said south side of the Proposed County Road and running for lines of division the three following courses and distances, (4) South 57°44'53" East, 73.39 feet; (5) South 75°56'27" East, 63.00 feet; (6) North 13°16'47" East, 105.93 feet to the point of BEGINNING. containing 0.2848 acres of land, more or less. Also known as 621 Pleasant Hill Road.

ED#31Lok16

April 10, 1991

ZONING DESCRIPTION
Lot 17

BEGINNING on the southeast side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 438 feet south of the centerline of Oella Avenue as measured along the southeasterly side of the Proposed County Road and binding along said southeast side the following course and distance, (1) South 32°15'07" West, 90.00 feet, thence leaving said south side of the Proposed County Road and running for lines of division the five following courses and distances, (2) South 57°44'53" East, 80.00 feet; (3) South 76°43'13" East, 86.00 feet; (4) North 13°16'47" East, 86.40 feet; (5) North 75°56'27" West, 63.00 feet; (6) North 57°44'53" West, 73.39 feet to the point of BEGINNING. Containing 0.3071 acres of land, more or less. Also known as 619 Pleasant Hill Road.

ED#31Lok17

April 10, 1991

ZONING DESCRIPTION
Lot 20

BEGINNING on the south side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 166 feet south of the centerline of Oella Avenue as measured along the southeasterly side of the Proposed County Road and binding along said south side the following course and distance, (1) Westerly along a curve to the right, having a radius of 90.00 feet, for a distance of 48.65 feet, being subtended by a chord bearing and distance of North 84°24'20" West, 48.06 feet, thence leaving said south side of the Proposed County Road and running for lines of division the three following courses and distances, (2) South 13°16'47" West, 154.56 feet; (3) South 65°49'55" East, 35.00 feet; (4) North 17°48'12" East, 168.12 feet to the point of BEGINNING. Containing 0.1492 acres of land, more or less. Also known as 617 Pleasant Hill Road.

ED#31Lak20

April 10, 1991

ZONING DESCRIPTION
Lot 21

BEGINNING on the east side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 47 feet south of the centerline of Oella Avenue as measured along the easterly side of the Proposed County Road and binding along said east side the two following courses and distances, (1) South 19°28'01" West, 15.15 feet; (2) Southwesterly along a curve to the right, having a radius of 90.00 feet, for a distance of 141.07 feet, being subtended by a chord bearing and distance of South 35°12'09" West, 127.07 feet, thence leaving said east side of the Proposed County Road and running for lines of division the two following courses and distances, (3) South 17°48'12" West, 168.12 feet; (4) south 65°49'55" East, 35.00 feet to a point on the eleventh, or South 25°16'35" West, 700 foot line of the Oella Property as described in Schedule A of a deed dated December 6, 1973 between W. J. Dickey and Sons Incorporated and Charles L. Wagandt recorded in the land records of Baltimore County in E.H.K. Jr. Liber 5413 folio 717 and binding reversely on said line the two following courses and distances as now surveyed, (5) North 24°10'05" East, 86.20 feet; (6) North 23°57'40" East, 212.14 feet to a point on the end of the tenth, or South 49°00'00" East 31 foot line of the aforementioned Deed and binding reversely on said line, as now surveyed, (7) North 49°47'06" West, 31.00 feet to the point of BEGINNING. Containing 0.2414 acres of land, more or less. Also known as 615 Pleasant Hill Road.

ED#31Lak21

April 10, 1991

ZONING DESCRIPTION
Lot 22

BEGINNING on the southwest side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 39 feet south of the centerline of Oella Avenue as measured along the westerly side of the Proposed County Road and binding along said southwest side the following four courses and distances, (1) Southeasterly along a curve to the left, having a radius of 90.00 feet, for a distance of 11.74 feet, being subtended by a chord bearing and distance of South 13°35'48" East, 11.73 feet; (2) Southwesterly along a curve to the right, having a radius of 50.00 feet, for a distance of 118.07 feet, being subtended by a chord bearing and distance of South 50°19'05" West, 92.49 feet; (3) North 62°01'53" West, 43.84 feet; (4) Northwesterly along a curve to the left, having a radius of 110.00 feet, for a distance of 21.55 feet, being subtended by a chord bearing and distance of North 67°38'35" West, 21.51 feet, thence leaving said southwest side of the Proposed County Road and running for lines of division the two following courses and distances, (5) North 06°50'49" West, 26.27 feet; (6) North 83°09'11" East, 131.10 feet to the point of BEGINNING. Containing 0.1670 acres of land, more or less. Also known as 623 Oella Avenue in the 1st Election District.

ED#31Lak22

April 10, 1991

ZONING DESCRIPTION
Lot 23

BEGINNING on the southwest side of Oella Avenue 40 feet wide at a distance of 1649 feet north of the centerline of Glen Avenue as measured along the easterly and southerly side of Oella Avenue and binding along said southwest side the two following courses and distances, (1) South 06°22'27" East, 15.80 feet; (2) North 83°37'33" East, 6.23 feet to a point on the west side of the Proposed Oella Site 5 County Road, 40 feet wide and binding on said west side the following course and distance, (3) Southeasterly along a curve to the left, having a radius of 90.00 feet, for a distance of 6.61 feet, being subtended by a chord bearing and distance of South 07°45'20" East, 6.61 feet, thence leaving said west side of the Proposed County Road and running for lines of division the three following courses and distances, (4) South 83°09'11" West, 131.10 feet; (5) North 06°50'49" West, 22.46 feet; (6) North 83°09'11" East, 124.90 feet to the point of BEGINNING. Containing 0.0653 acres of land, more or less. Also known as 625 Oella Avenue in the 1st Election District.

ED#31Lak23

April 10, 1991

ZONING DESCRIPTION
Lot 24

BEGINNING on the southwest side of Oella Avenue 40 feet wide at a distance of 1636 feet north of the centerline of Glen Avenue as measured along the easterly and southerly side of Oella Avenue and binding along said southwest side the two following courses and distances, (1) Southeasterly along a curve to the left, having a radius of 80.00 feet, for a distance of 5.05 feet, being subtended by a chord bearing and distance of South 36°03'33" East, 5.05 feet; (2) South 06°22'27" East, 18.23 feet, thence leaving said southwest side of Oella Avenue and running for lines of division the three following courses and distances, (3) South 83°09'11" West, 124.90 feet; (4) North 06°50'49" West, 22.63 feet; (5) North 83°09'11" East, 122.59 feet to the point of BEGINNING. containing 0.0648 acres of land, more or less. Also known as 631 Oella Avenue in the 1st Election District.

ED#31Lak24

April 10, 1991

ZONING DESCRIPTION
Lot 25

BEGINNING on the southwest side of Oella Avenue 40 feet wide at a distance of 1581 feet north of the centerline of Glen Avenue as measured along the easterly and southerly side of Oella Avenue and binding along said southwest side the two following courses and distances, (1) South 15°56'43" East, 36.40 feet; (2) Southeasterly along a curve to the left, having a radius of 80.00 feet, for a distance of 25.56 feet, being subtended by a chord bearing and distance of South 25°05'42" East, 25.45 feet, thence leaving said south side of Oella Avenue and running for lines of division the four following courses and distances, (3) South 83°09'11" West, 122.59 feet; (4) North 06°50'49" West, 30.17 feet; (5) North 83°09'11" East, 39.00 feet; (6) North 59°57'07" East, 76.01 feet to the point of BEGINNING. Containing 0.1068 acres of land, more or less. Also known as 633 Oella Avenue in the 1st Election District.

ED#31Lak25

April 10, 1991

ZONING DESCRIPTION
Lot 26

BEGINNING on the south side of Oella Avenue 40 feet wide at a distance of 1499 feet north of the centerline of Glen Avenue as measured along the easterly and southerly side of Oella Avenue and binding along said south side the two following courses and distances, (1) Southeasterly along a curve to the right, having a radius of 380.00 feet, for a distance of 3.63 feet, being subtended by a chord bearing and distance of South 40°45'41" East, 3.63 feet; (2) Southeasterly along a curve to the right, having a radius of 160.00 feet, for a distance of 68.53 feet, being subtended by a chord bearing and distance of South 28°12'57" East, 68.01 feet, thence leaving said south side of Oella Avenue and running for lines of division the five following courses and distances, (3) South 59°57'07" West, 76.01 feet; (4) South 83°09'11" West, 39.00 feet; (5) North 06°50'49" West, 13.27 feet; (6) North 62°52'06" East, 17.92 feet; (7) North 33°30'03" East, 100.78 feet to the point of BEGINNING. Containing 0.1123 acres of land, more or less. Also known as 643 Oella Avenue in the 1st Election District.

ED#31Lak26

April 10, 1991

ZONING DESCRIPTION
Lot 27

BEGINNING on the south side of Oella Avenue 40 feet wide at a distance of 1473 feet north of the centerline of Glen Avenue as measured along the easterly and southerly side of Oella Avenue and binding along said south side the following course and distance, (1) Southeasterly along a curve to the right, having a radius of 380.00 feet, for a distance of 23.23 feet, being subtended by a chord bearing and distance of South 42°27'03" East, 23.23 feet, thence leaving said south side of Oella Avenue and running for lines of division the five following courses and distances (2) South 33°30'03" West, 100.78 feet; (3) South 62°52'06" West, 17.92 feet; (4) North 06°50'49" West, 12.50 feet; (5) North 56°29'57" West, 5.68 feet; (6) North 33°30'03" East, 112.38 feet to the point of BEGINNING. Containing 0.0581 acres of land, more or less. Also known as 645 Oella Avenue in the 1st Election District.

ED#31Lak27

April 10, 1991

ZONING DESCRIPTION
Lot 28

BEGINNING on the south side of Oella Avenue 40 feet wide at a distance of 1449 feet north of the centerline of Glen Avenue as measured along the easterly and southerly side of Oella Avenue and binding along said south side the following course and distance, (1) Southeasterly along a curve to the right, having a radius of 380.00 feet, for a distance of 23.16 feet, being subtended by a chord bearing and distance of South 46°16'55" East, 23.16 feet, thence leaving said south side of Oella Avenue and running for lines of division the three following courses and distances, (2) South 33°30'03" West, 112.38 feet; (3) North 56°29'57" West, 22.79 feet; (4) North 33°30'03" East, 116.48 feet to the point of BEGINNING. containing 0.0599 acres of land, more or less. Also known as 649 Oella Avenue in the 1st Election District.

ED#31Lx28

April 10, 1991

ZONING DESCRIPTION
Lot 29

BEGINNING on the south side of Oella Avenue 40 feet wide at a distance of 1426.5 feet north of the centerline of Glen Avenue as measured along the easterly and southerly side of Oella Avenue and binding along said south side the following course and distance, (1) Southeasterly along a curve to the right, having a radius of 380.00 feet, for a distance of 22.28 feet, being subtended by a chord bearing and distance of south 49°42'29" East, 22.28 feet, thence leaving said south side of Oella Avenue and running for lines of division the three following courses and distances, (2) South 33°30'03" West, 116.48 feet; (3) North 56°29'57" West, 22.12 feet; (4) North 33°30'03" East, 119.12 feet to the point of BEGINNING. containing 0.0599 acres of land, more or less. Also known as 651 Oella Avenue in the 1st Election District.

ED#31Lx29

April 10, 1991

ZONING DESCRIPTION
Lot 30

BEGINNING on the south side of Oella Avenue 40 feet wide at a distance of 1404 feet north of the centerline of Glen Avenue as measured along the easterly and southerly side of Oella Avenue and binding along said south side the two following courses and distances, (1) South 53°13'16" East, 10.61 feet; (2) Southeasterly along a curve to the right, having a radius of 380.00 feet, for a distance of 12.16 feet, being subtended by a chord bearing and distance of South 52°18'14" East, 12.16 feet, thence leaving said south side of Oella Avenue and running for lines of division the three following courses and distances, (3) South 33°30'03" West, 119.12 feet; (4) North 56°29'57" West, 22.72 feet; (5) North 33°30'03" East, 120.62 feet to the point of BEGINNING. containing 0.0625 acres of land, more or less. Also known as 655 Oella Avenue in the 1st Election District.

SED#31Lx30

April 10, 1991

ZONING DESCRIPTION
Lot 31

BEGINNING on the south side of Oella Avenue 40 feet wide at a distance of 1382 feet north of the centerline of Glen Avenue as measured along the easterly and southerly side of Oella Avenue and binding along said south side the following course and distance, (1) South 53°13'16" East, 22.61 feet, thence leaving said south side of Oella Avenue and running for lines of division the three following courses and distances, (2) South 33°30'03" West, 120.62 feet; (3) North 56°29'57" West, 22.57 feet; (4) North 33°30'03" East, 121.91 feet to the point of BEGINNING. containing 0.0628 acres of land, more or less. Also known as 657 Oella Avenue in the 1st Election District.

SED#31Lx31

April 10, 1991

ZONING DESCRIPTION
Lot 32

BEGINNING on the south side of Oella Avenue 40 feet wide at a distance of 1359.5 feet north of the centerline of Glen Avenue as measured along the easterly and southerly side of Oella Avenue and binding along said south side the following course and distance, (1) South 53°13'16" East, 22.45 feet, thence leaving said south side of Oella Avenue and running for lines of division the three following courses and distances, (2) South 33°30'03" West, 121.91 feet; (3) North 56°29'57" West, 22.41 feet; (4) North 33°30'03" East, 123.19 feet to the point of BEGINNING. containing 0.0630 acres of land, more or less. Also known as 661 Oella Avenue in the 1st Election District.

SED#31Lx32

April 10, 1991

ZONING DESCRIPTION
Lot 33

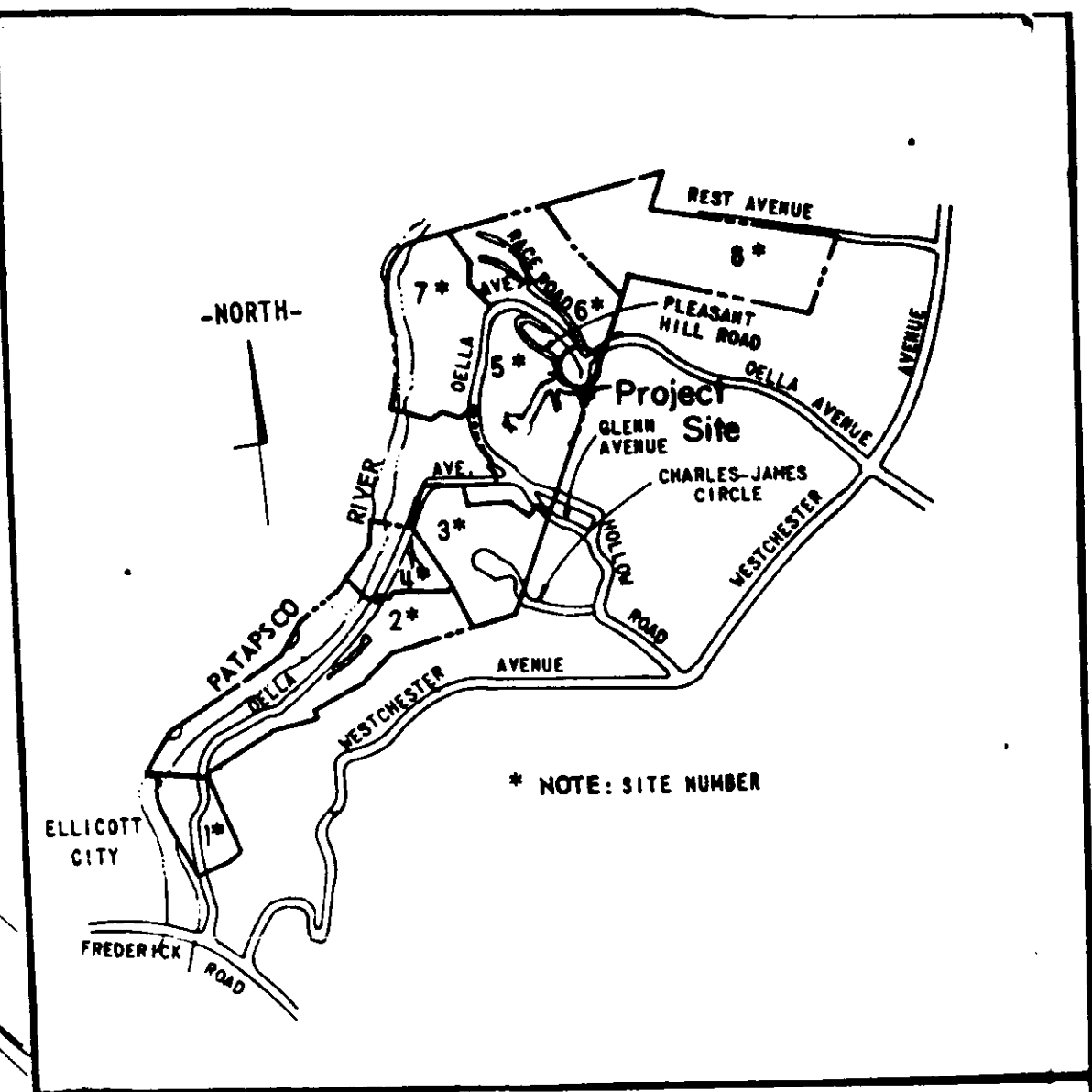
BEGINNING on the south side of Oella Avenue 40 feet wide at a distance of 1309 feet north of the centerline of Glen Avenue as measured along the easterly and southerly side of Oella Avenue and binding along said south side the following course and distance, (1) South 53°13'16" East, 50.52 feet, thence leaving said south side of Oella Avenue and running for lines of division the four following courses and distances, (2) South 33°30'03" West, 123.19 feet; (3) North 56°29'57" West, 18.08 feet; (4) North 37°40'18" West, 33.01 feet; (5) North 32°56'57" East, 115.43 feet to the point of BEGINNING. containing 0.1388 acres of land, more or less. Also known as 663 Oella Avenue in the 1st Election District.

SED#31Lx33

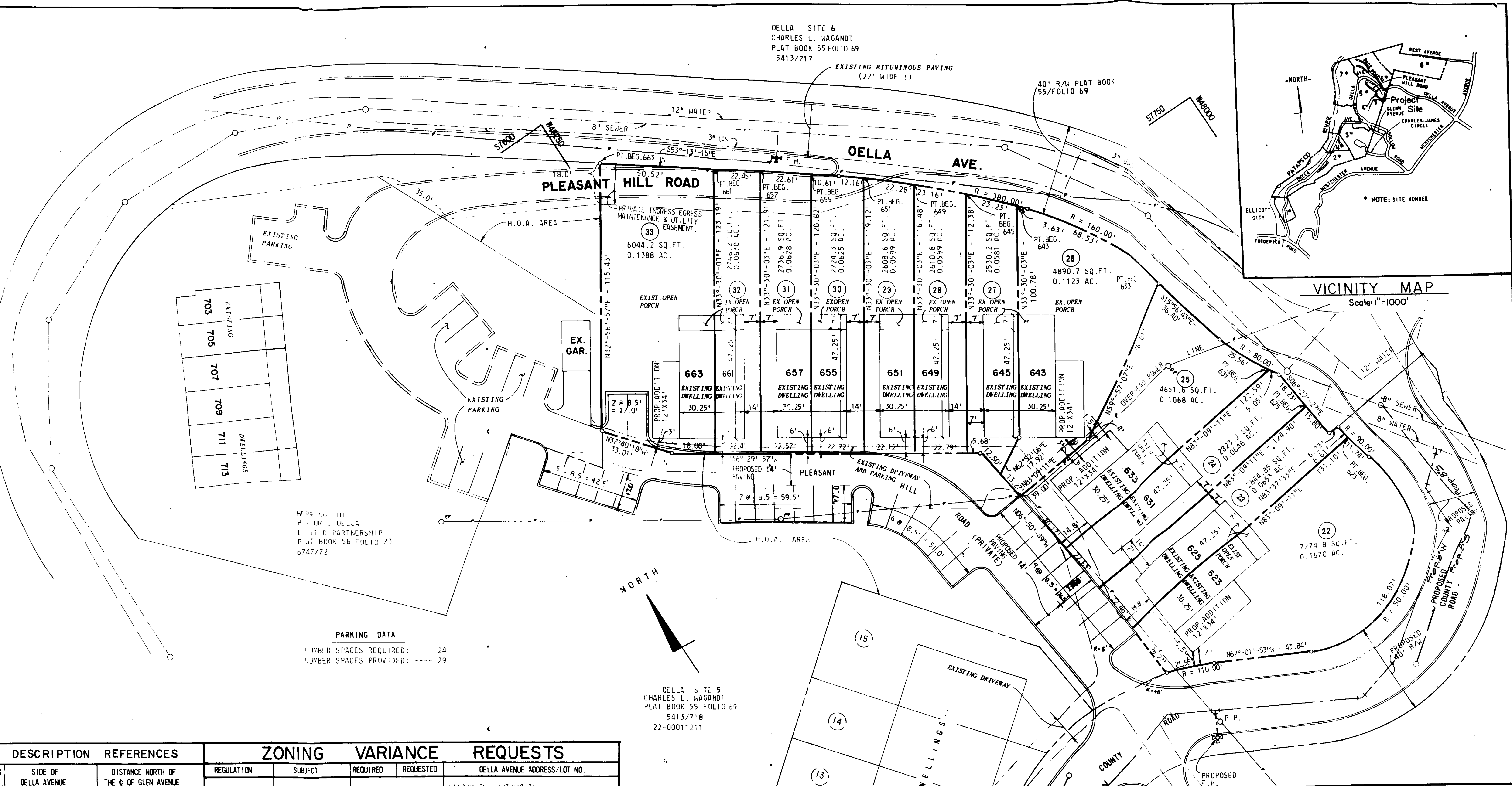
OELLA - SITE 6
CHARLES L. WAGANDT
PLAT BOOK 55 FOLIO 69
5413/717

EXISTING BITUMINOUS PAVING
(22' WIDE ±)

40' R/W PLAT BOOK
55/FOLIO 69



VICINITY MAP
Scale: 1"=1000'



HERSHING HILL
HISTORIC OELLA
LIMITED PARTNERSHIP
PLAT BOOK 56 FOLIO 73
6747/72

PARKING DATA
NUMBER SPACES REQUIRED: ---- 24
NUMBER SPACES PROVIDED: ---- 29

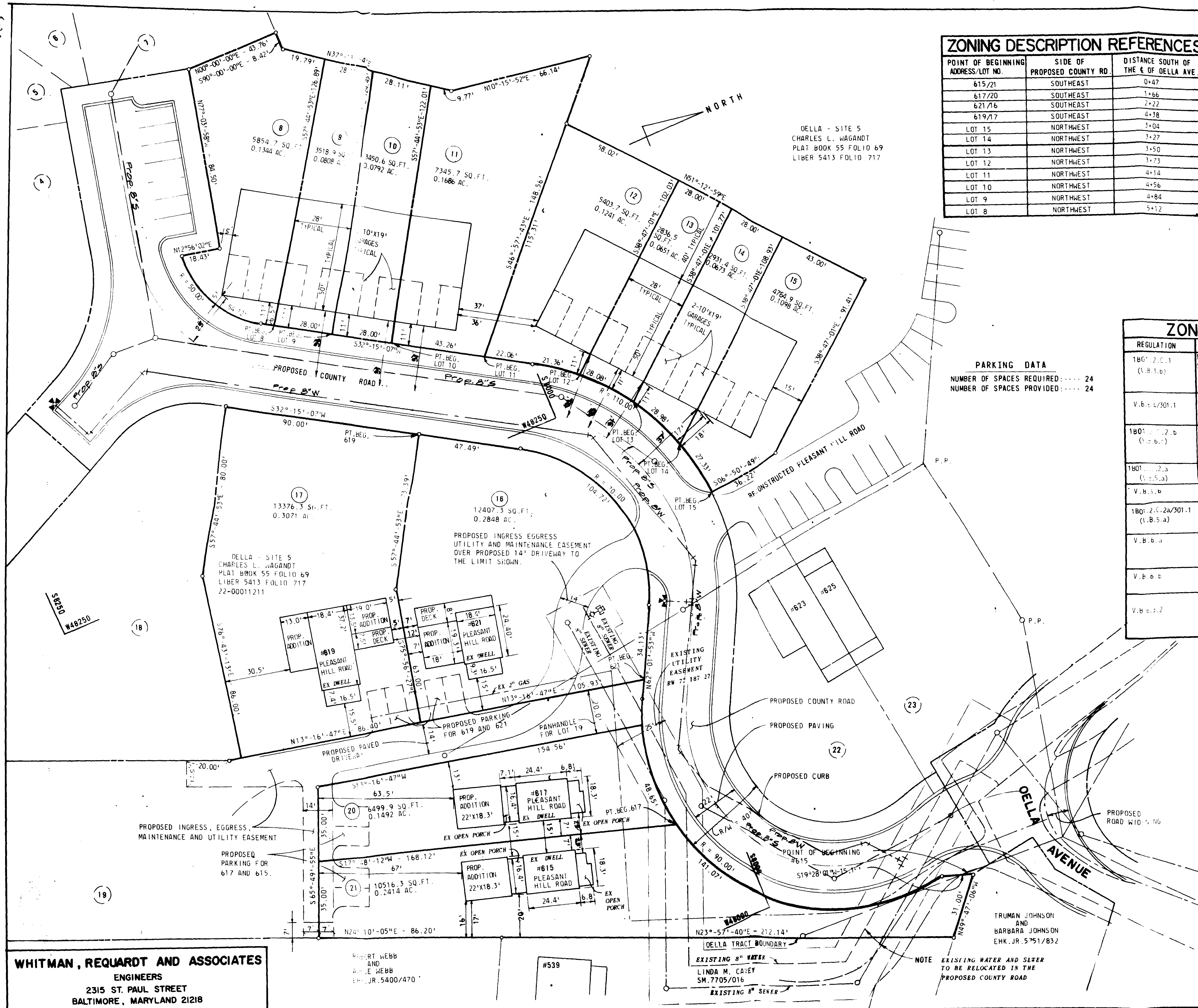
OELLA SITE 5
CHARLES L. WAGANDT
PLAT BOOK 55 FOLIO 69
5413/718
22-00011211

| ZONING DESCRIPTION REFERENCES | | | ZONING VARIANCE REQUESTS | | | | DELLA AVENUE ADDRESS/LOT NO. | |
|--|--|--|--------------------------|--|---------------------|---------------------|--|--|
| POINT OF BEGINNING ADDRESS LOT NO. | SIDE OF OELLA AVENUE | DISTANCE NORTH OF THE E OF GLEN AVENUE | REGULATION | SUBJECT | REQUIRED | REQUESTED | | |
| 663/LOT 33 | SOUTHWEST | 13+09 | 1B01.2.C.1 (V.B.3.b) | MINIMUM BUILDING SEPARATION (FOR HTS. 25'-30'; EXISTING CONDITION) | 30' | 4' | 633/LOT 25 - 643/LOT 26 | |
| 661/LOT 32 | SOUTHWEST | 13+59.5 | | | | 14' | 625/LOT 23-631/LOT 24; 645/LOT 27-649/LOT 28; 651/LOT 29-655/LOT 30; 657/LOT 31 - 661/LOT 32 | |
| 657/LOT 31 | SOUTHWEST | 13+82 | | | | | | |
| 655/LOT 30 | SOUTHWEST | 14+04 | | | | | | |
| 651/LOT 29 | SOUTHWEST | 14+26.5 | | | | | | |
| 649/LOT 28 | SOUTHWEST | 14+49 | V.B.6.b/301.1 | OPEN PORCH TO SIDE PROPERTY LINE (EXISTING CONDITION) | 11.25' | 7' | 625/LOT 23; 631/LOT 24; 645/LOT 27; 649/LOT 28; 651/LOT 29; 655/LOT 30; 657/LOT 31; 661/LOT 32 | |
| 645/LOT 27 | SOUTHWEST | 14+73 | | | | | | |
| 643/LOT 26 | SOUTHWEST | 14+99 | | | | | | |
| 633/LOT 25 | SOUTHWEST | 15+81 | | | | | | |
| 631/LOT 24 | SOUTHWEST | 16+36 | | | | | | |
| 625/LOT 23 | SOUTHWEST | 16+49 | 1B01.2.C.2.b (V.B.6.c) | WINDOW TO WINDOW (EXISTING CONDITION) | 40' | 14' | 633/LOT 25 - 643/LOT 26 | |
| | | | | | | | 625/LOT 23 - 631/LOT 24; 645/LOT 27-649/LOT 28; 651/LOT 29-655/LOT 30; 657/LOT 31-661/LOT 32 | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| POINT OF BEGINNING ADDRESS 633/LOT 22 | SIDE OF PROPOSED COUNTY ROAD SOUTHWEST | DISTANCE SOUTH OF OELLA AVENUE 0+39 | V.B.6.b | WINDOW TO PROPERTY LINE | 15' | 3' | 633/LOT 25; 643/LOT 26; 663/LOT 33 | |
| | | | | | | 6' | 649/LOT 28; 651/LOT 29; 655/LOT 30; 657/LOT 31; 661/LOT 32 | |
| | | | | | | 7' | 623/LOT 22; 625/LOT 23; 631/LOT 24; 645/LOT 27 | |
| WHITMAN, REQUARDT AND ASSOCIATES ENGINEERS 2315 ST. PAUL STREET BALTIMORE, MARYLAND 21218 | | | 409.3 | PARKING SPACE DIVISIONS | 24 SPACES @ 8.5X18' | 24 SPACES @ 8.5X22' | LOTS 22 THRU 33 | |
| | | | 409.4.C | TWO-DRIVEWAY | 22' | 24' | LOTS 22 THRU 33 | |

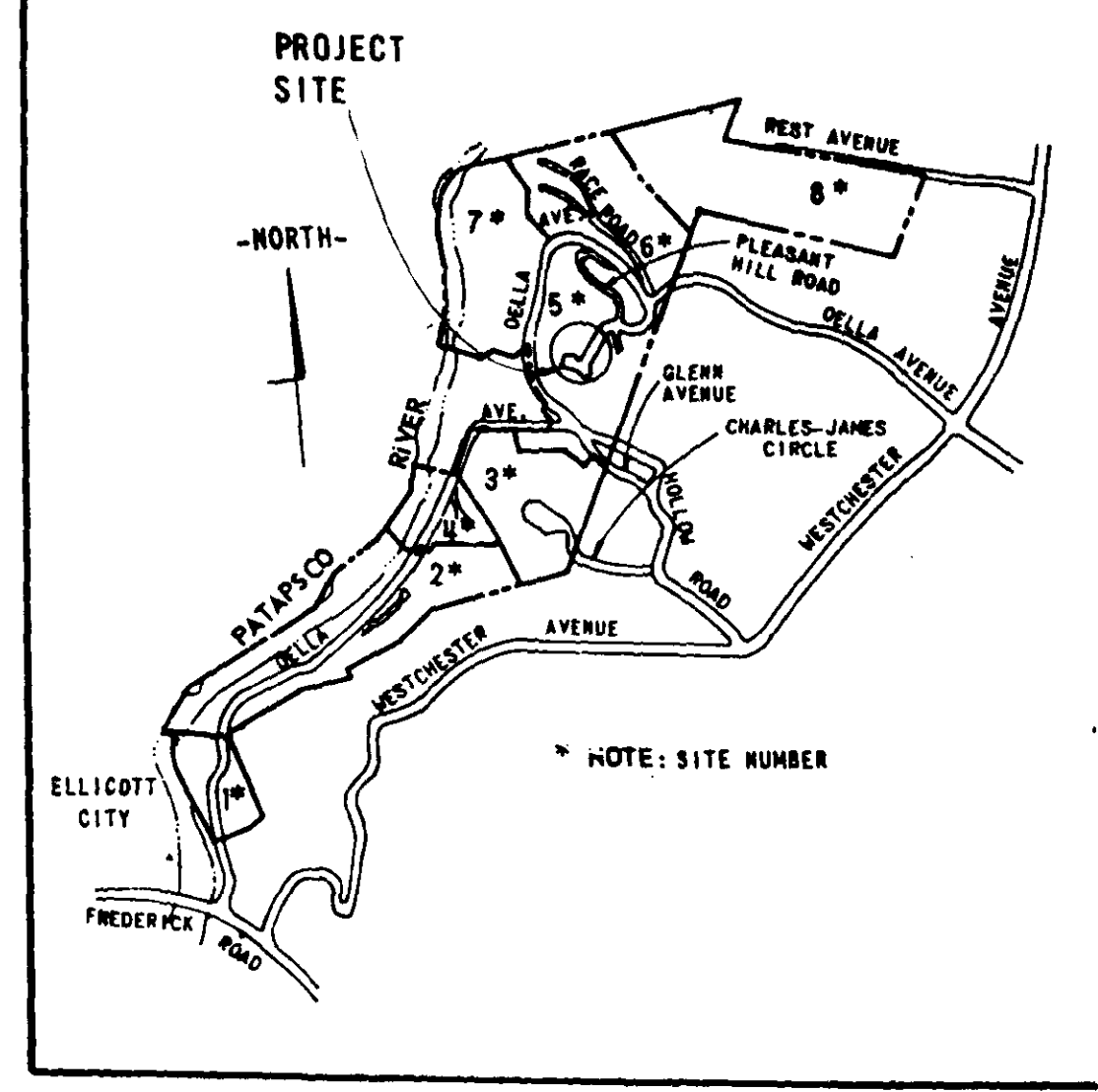
OELLA
PLAT FOR ZONING VARIANCE
OWNER: MR. CHARLES WAGANDT
DISTRICT-1, ZONED D.R.3.5

ADDRESSES 623, 625, 631, 633
643, 645, 649, 651, 655, 657, 661, 663
OELLA AVENUE

EXISTING UTILITIES IN OELLA AVENUE
SCALE: 1"=20' DATE: APRIL 10, 1991
SHEET 2 OF 3



| ZONING DESCRIPTION REFERENCES | | |
|------------------------------------|-----------------------------|--|
| POINT OF BEGINNING ADDRESS/LOT NO. | SIDE OF PROPOSED COUNTY RD. | DISTANCE SOUTH OF THE E. OF OELLA AVE. |
| 615/21 | SOUTHEAST | 0+47 |
| 617/20 | SOUTHEAST | 1+66 |
| 621/16 | SOUTHEAST | 2+22 |
| 619/17 | SOUTHEAST | 4+38 |
| LOT 15 | NORTHWEST | 3+04 |
| LOT 14 | NORTHWEST | 3+27 |
| LOT 13 | NORTHWEST | 3+50 |
| LOT 12 | NORTHWEST | 3+73 |
| LOT 11 | NORTHWEST | 4+14 |
| LOT 10 | NORTHWEST | 4+56 |
| LOT 9 | NORTHWEST | 4+84 |
| LOT 8 | NORTHWEST | 5+12 |



VICINITY MAP
Scale: 1"=1000'

PARKING DATA
NUMBER OF SPACES REQUIRED: 24
NUMBER OF SPACES PROVIDED: 24

| ZONING VARIANCE REQUESTS | | | | |
|--------------------------|--|----------|-------------------|--|
| REGULATION | SUBJECT | REQUIRED | REQUEST | PLEASANT HILL RD ADDRESS & OR LOT NO. |
| 1801.2.1 (1.B.3.b) | MINIMUM BUILDING SEPARATION (30' FOR LOTS 25'-30'; 40' FOR LOTS 30'-40'; EXISTING CONDITION) | 30' | 12' 15' | 619/LOT 17 - 621/LOT 16 615/LOT 21 - 617/LOT 20 LOTS 11 - 12 |
| V.B. 4.301.1 | OPEN PORCH TO SIDE PROPERTY LINE (EXISTING CONDITION) | 11.25' | 5' 7.5' | 619/LOT 17 621/LOT 16 615/LOT 21 - 617/LOT 20 |
| 1801.2.2.b (1.B.6.1) | WINDOW TO WINDOW (EXISTING CONDITION) | 40' | 12' 15' 37' | 619/LOT 17 - 621/LOT 16 615/LOT 21 - 617/LOT 20 LOTS 11 - 12 |
| 1801.2.2.a (1.B.5.a) | WINDOW TO TRACT BOUNDARY (EXISTING CONDITION) | 35' | 17' | 615/LOT 21 |
| V.B. 4.301.1 | BUILDING TO TRACT BOUNDARY (EXISTING CONDITION) | 30' | 16' | 615/LOT 21 |
| 1801.2.2.301.1 (1.B.5.a) | OPEN PORCH TO TRACT BOUNDARY (EXISTING CONDITION) | 26.25' | 20' | 615/LOT 21 |
| V.B. 4.301.1 | WINDOW TO STREET R/W, PROPERTY LINE | 25' | 5' 11' 18' | LOT 8 LOTS 9 THRU 14 LOT 15 |
| V.B. 4.301.1 | WINDOW TO R/W | 15' | 5' 7' | 619/LOT 17; LOT 8 615/LOT 21; 617/LOT 20; 621/LOT 16 |
| V.B. 4.301.2 | DWELLING UNIT OR WINDOWED DOOR TO TRAVELLED WAY | 47' | 45' 37' | LOT 8 LOTS 9 THRU 14 LOT 15 |

NOTE: 1. VARIANCES FOR 615, 617, 619 AND 621 PLEASANT HILL ROAD ARE REQUIRED FOR THE PLOTTING OF THE PROPOSED COUNTY ROAD AND THESE LOTS. PRIOR TO RECORDING THESE ADDRESSES WILL BE CHANGED TO REFLECT THEIR FRONTAGE ON THE NEW PUBLIC ROAD.

OELLA
PLAT FOR ZONING VARIANCE
OWNER: MR. CHARLES WAGANDT
DISTRICT-I, ZONED D.R.3.5
ADDRESSES 615, 617, 619, 621 PLEASANT HILL RD. & LOTS 8-15 SITE 5
EXISTING UTILITIES IN OELLA AVENUE

SCALE: 1"=20' DATE: APRIL 10, 1991
SHEET 3 OF 3

WHITMAN, REQUARDT AND ASSOCIATES
ENGINEERS
2315 ST. PAUL STREET
BALTIMORE, MARYLAND 21218

ROBERT WEBB
AND
LINDA M. CAVEY
ENR. JR. 5400/470

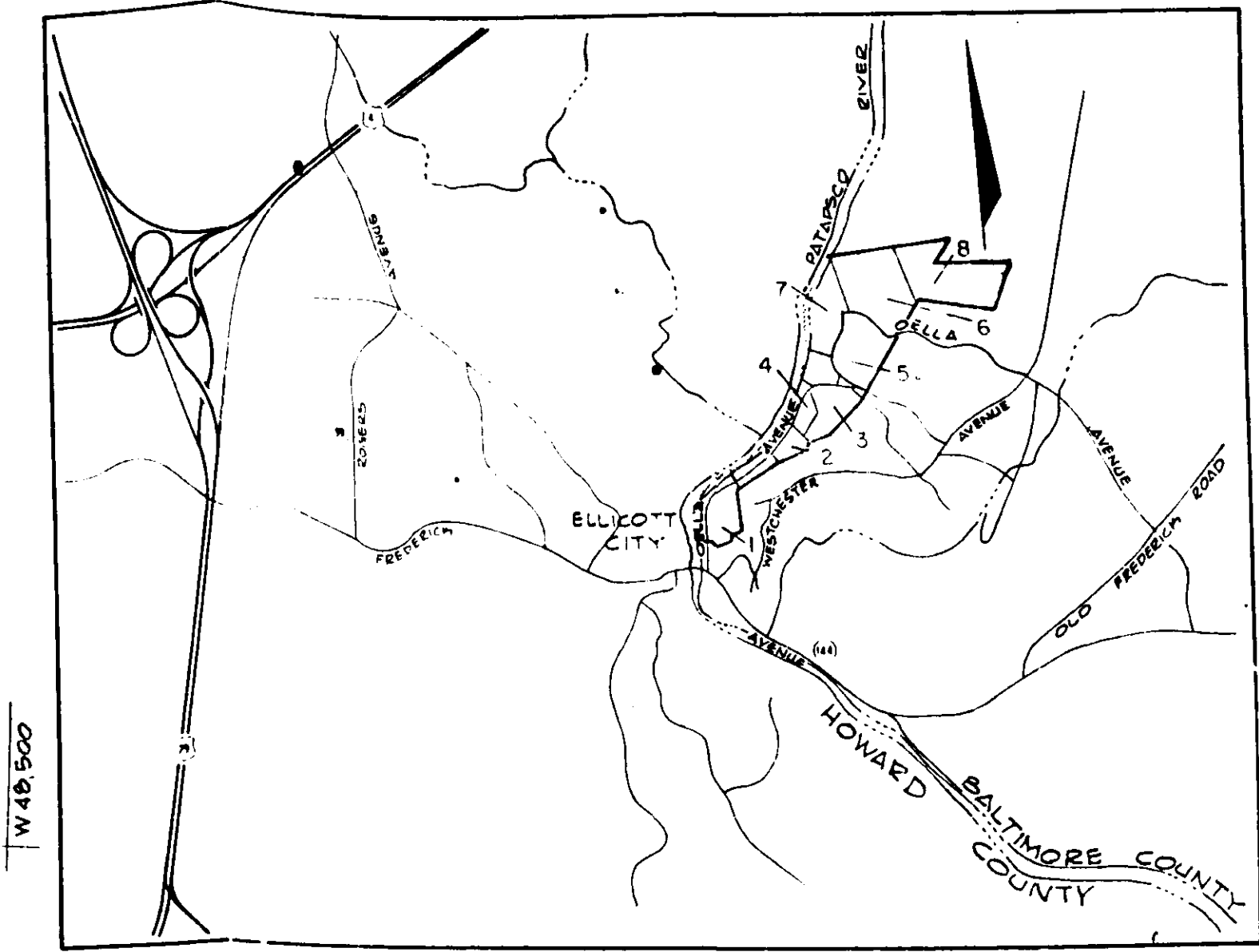
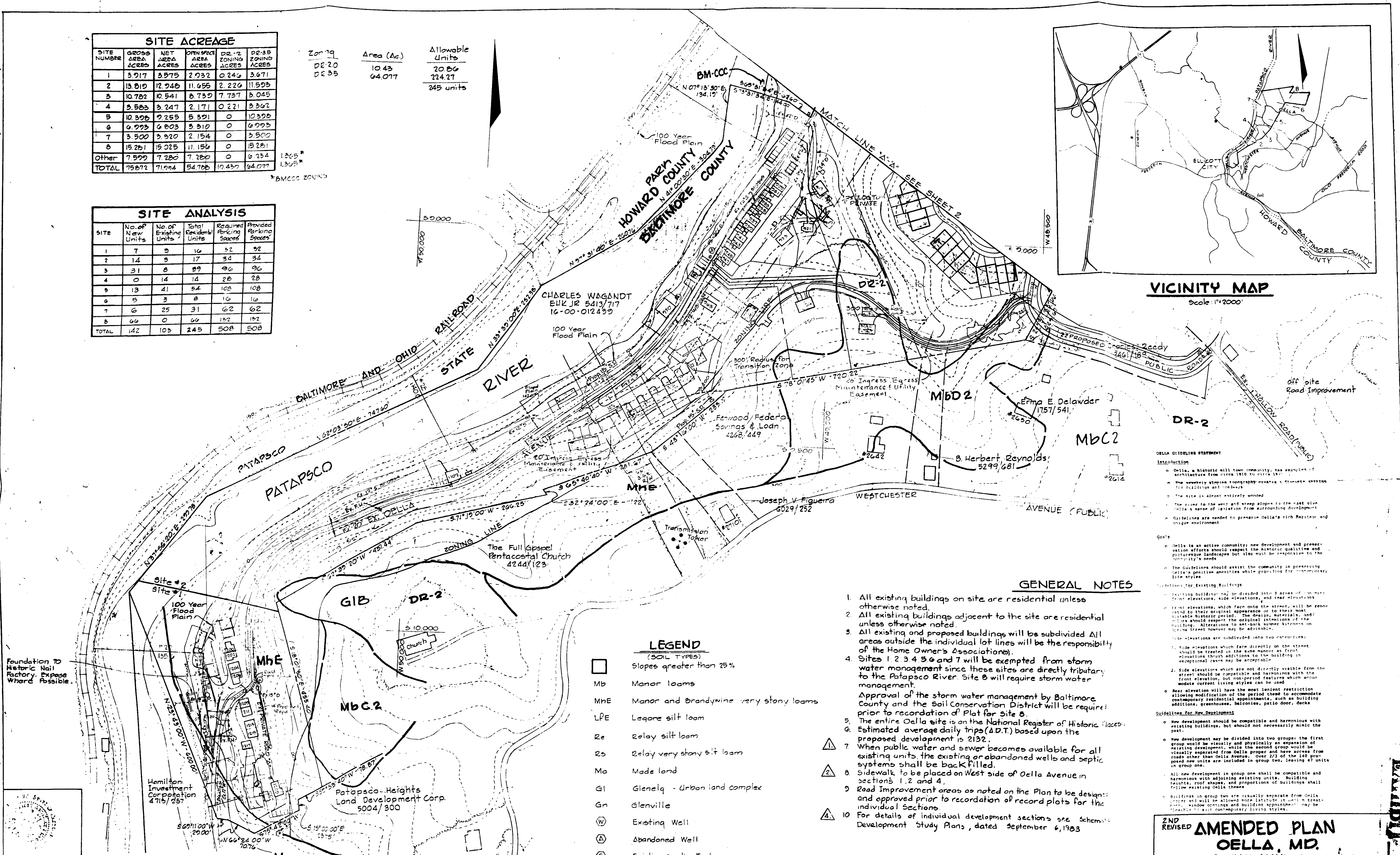
EXISTING 8" WATER
LINDA M. CAVEY
SM. 7705/016
EXISTING 8" SEWER

TRUMAN JOHNSON
AND
BARBARA JOHNSON
ENR. JR. 5751/832

| SITE ACREAGE | | | | | | |
|--------------|------------------|----------------|------------------|-------------------|--------------------|--|
| SITE NUMBER | GROSS AREA ACRES | NET AREA ACRES | OPEN SPACE ACRES | DE-2 ZONING ACRES | DE-3B ZONING ACRES | |
| 1 | 3.917 | 3.575 | 2.732 | 0.243 | 3.671 | |
| 2 | 13.810 | 12.948 | 11.055 | 2.224 | 11.595 | |
| 3 | 10.782 | 10.541 | 8.739 | 7.737 | 5.045 | |
| 4 | 3.583 | 3.247 | 2.171 | 0.221 | 3.362 | |
| 5 | 10.306 | 2.255 | 5.391 | 0 | 10.306 | |
| 6 | 4.923 | 4.803 | 3.310 | 0 | 4.923 | |
| 7 | 3.500 | 3.320 | 2.154 | 0 | 3.500 | |
| 8 | 15.261 | 15.025 | 11.156 | 0 | 15.261 | |
| Other | 7.599 | 7.280 | 7.280 | 0 | 7.284 | |
| TOTAL | 75.872 | 71.094 | 54.765 | 10.430 | 64.077 | |

| Zoning | Area (Ac) | Allowable Units |
|--------|-----------|-----------------|
| DE-2.0 | 10.43 | 20.86 |
| DE-3.5 | 64.077 | 724.27 |
| | | 245 units |

| SITE ANALYSIS | | | | | | |
|---------------|------------------|----------------------|-------------------------|-------------------------|-----|--|
| SITE | No. of New Units | Total Existing Units | Required Parking Spaces | Provided Parking Spaces | | |
| 1 | 7 | 5 | 16 | 52 | 52 | |
| 2 | 14 | 3 | 17 | 34 | 34 | |
| 3 | 31 | 8 | 39 | 96 | 96 | |
| 4 | 0 | 14 | 14 | 28 | 28 | |
| 5 | 13 | 41 | 54 | 108 | 108 | |
| 6 | 5 | 3 | 8 | 16 | 16 | |
| 7 | 6 | 25 | 31 | 62 | 62 | |
| 8 | 66 | 0 | 66 | 132 | 132 | |
| TOTAL | 142 | 103 | 245 | 508 | 508 | |



VICINITY MAP
Scale: 1"=2000'

- OELLA GUIDELINE STATEMENT**
- Introduction**
- Oella is a historic mill town community, has examples of architecture from circa 1810 to circa 1910.
 - The community's historic landscape is a valuable resource for buildings and landmarks.
 - The site is almost entirely wooded.
 - The river to the west and steep slopes to the east give Oella a sense of isolation from surrounding development.
 - Guidelines are needed to preserve Oella's rich historic and unique environment.
- Goals**
- Oella is an active community; new development and preservation efforts should respect the historic qualities and picturesque landscapes but also must be responsive to the community's needs.
 - The Guidelines should assist the community in preserving Oella's positive amenities while providing for contemporary life styles.
- Guidelines for Existing Buildings**
- Existing buildings may be divided into 3 areas of concern: front elevations, side elevations, and rear elevations.
 - Front elevations, which face onto the street, will be restricted to their original appearance or to their most valuable historic period. The design, materials, and colors should respect the original intention of the building. Alterations to set-back, window treatments, and other details may be acceptable.
 - Side elevations are subdivided into two categories:
 - Side elevations which face directly on the street should be treated in the same manner as front elevations through additions to the building in exceptional cases may be acceptable.
 - Side elevations which are not directly visible from the street should be compatible and harmonious with the front elevation, but non-prior features which accommodate current living styles can be used.
 - Rear elevation will have the most lenient restriction allowing modification of the period theme to accommodate contemporary residential appointments, such as building additions, greenhouses, balconies, patio doors, decks.
- Guidelines for New Development**
- New development should be compatible and harmonious with existing buildings, but should not necessarily mimic the past.
 - New development may be divided into two groups: the first group would be visually and physically an expansion of existing development, while the second group would be visually separated from Oella proper and have access from roads other than Oella Avenue. Over 2/3 of the 140 proposed new units are included in group two, leaving 47 units in group one.
 - All new development in group one shall be compatible and harmonious with adjoining existing units. Building heights, roof shapes, and proportions of buildings shall follow existing Oella themes.
 - Buildings in group two are visually separate from Oella proper and will be allowed more latitude in use of street-front, window openings and building appointments. They may be "contemporary" in style but contemporary living styles.

GENERAL NOTES

- All existing buildings on site are residential unless otherwise noted.
- All existing buildings adjacent to the site are residential unless otherwise noted.
- All existing and proposed buildings will be subdivided. All areas outside the individual lot lines will be the responsibility of the Home Owner's Association.
- Sites 1, 2, 3, 4, 5, 6 and 7 will be exempted from storm water management since these sites are directly tributary to the Patapsco River. Site 8 will require storm water management.
- Approval of the storm water management by Baltimore County and the Soil Conservation District will be required prior to recordation of Plat for Site 8.
- The entire Oella site is on the National Register of Historic Places.
- Estimated average daily trips (A.D.T.) based upon the proposed development is 2132.
- When public water and sewer becomes available for all existing units, the existing or abandoned wells and septic systems shall be backfilled.
- Sidewalk to be placed on West side of Oella Avenue in sections 1, 2 and 4.
- Road Improvement areas as noted on the Plan to be designed and approved prior to recordation of record plots for the individual sections.
- For details of individual development sections see Schematic Development Study Plans, dated September 6, 1983.

- LEGEND**
(SOIL TYPES)
- Slopes greater than 25%
 - Mb Manor loams
 - MhE Manor and Brandywine very stony loams
 - LPE Leqare silt loam
 - Re Relay silt loam
 - Rs Relay very stony silt loam
 - Ma Made land
 - G1 Glenelg - Urban land complex
 - Gn Glenville
 - W Existing Well
 - A Abandoned Well
 - S Existing Septic Tank
 - Landscaping

| No. | Revisions Cont. | Date | No. | Revisions | Date |
|-----|---|---------|-----|---|---------|
| 8 | Changed No. Proposed Units on Sites 3 and 7 | 5/25/88 | 1 | Add Note 7 | 3/16/83 |
| 9 | Changed No. Proposed Units on Sites 2, 3, 5 and 6 | 4/14/89 | 2 | Added Parking Notes 8 and 9 and made Road Improvements for street widths and parking in flood plain | 8/16/83 |
| | | | 3 | Add Note 10 and Guideline Statement | 9/6/83 |
| | | | 4 | Plans revised, Section 8 to fit zoning guidelines for Transition Zone: Drawing 3 of 3 | 3/10/86 |
| | | | 5 | Revisions made to new units, Section 8 to reflect constraints of topography | 4/9/86 |
| | | | 6 | Revised parking for Lots 728, 730, 732, 734, 736 | 4/9/86 |
| | | | | 48, 740, 742 | |

WHITMAN, REQUARDT AND ASSOCIATES
ENGINEERS
2315 SAINT PAUL STREET
BALTIMORE, MARYLAND 21218
(301) 235-3450

OWNER AND DEVELOPER
Charles Wagandt T/A
Oella Company
803 Oella Avenue
Ellicott City, Maryland 21043
(301) 465-1900

PLANNERS
LAND DESIGN RESEARCH, INC.
5560 Sterrett Place, Suite 500
Columbia, Maryland 21046
(301) 750-9151

2ND REVISED AMENDED PLAN
OELLA, MD.
COUNCILMANIC DISTRICT NO. 1
ELECTION DISTRICT NO. 1
BALTIMORE COUNTY, MARYLAND
Scale: 1"=100' Date: APR. 14, 1989
Subwatershed - 77
Watershed - 30
Census Tract - 401503
Sheet 1 of 2

SCALE
" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1986

| LOCATION | ELLICOTT | CITY |
|----------|----------|------|
| | | |

SHEET

S. M.
3-1

91-16

H-SW
H-SE
91-408-A
THE MAP HAS BEEN REVISED IN THE SIGHTED AREAS

1988 COMPREHENSIVE ZONING MAP



111 West Chesapeake Avenue
Towson, MD 21204

July 25, 1991

887-3353

Stuart D. Kaplow, Esquire
210 W. Pennsylvania Avenue, Suite 630
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
E/S Oella Avenue, 400' N of the c/l of Hollow Road
(Lots 4 thru 17 and 20 thru 33 of Oella, Site 5)
1st Election District - 1st Councilmanic District
Charles L. Wagandt - Petitioner
Case No. 91-408-A

Dear Mr. Kaplow:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Wesley Daub
Whitman, Requardt & Associates 21218
2315 St. Paul Street, Baltimore, Md.

Mr. Alan F. Stubbs
718 Oella Avenue, Ellicott City, Md. 21043

People's Counsel

File

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.1., 1801.2.C.2.a., 1801.2.C.2.b., 1801.2.C.3., 301.1., 409.3., and 409.4.C., all from the Baltimore County Zoning Regulations and Sections V.B.3.b., V.B.5.a., 8.V.5.b., V.B.6.a., V.B.6.b., V.B.6.c., V.B.6.d.2., and 8.V.9 all from the C.M.D.P. to permit the following variances on Lots 4 thru 17 and 20 thru 33 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Subdivision of existing historic residences and proposed infill residences create conditions of practical difficulty or unreasonable hardship in complying with referenced zoning standards.

*33 of Oella Site 5 as indicated on the following Schedule "A" and site plans, Sheets 1, 2 and 3 (see attached)

Property is to be posted and advertised as prescribed in Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertisement, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, or we, do solemnly declare and affirm, under the penalty of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name)

Charles L. Wagandt

Signature

(Type or Print Name)

Address

Address

City and State

City and State

City and State

City and State

City and State

City and State

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SCHEDULE A
Oella - Site 5

- Lot 4: To permit a window to window distance of 33' in lieu of 40'. To permit a window to street R/W, property line setback of 19' in lieu of 25'.
- Lot 5: To permit a window to window distance of 33' in lieu of 40'.
- Lot 6: To permit a building to street centerline setback of 25' in lieu of 50'. To permit a building to street right of way setback of 12' in lieu of 25'. To permit an open porch to street centerline setback of 17' in lieu of 37.5'. To permit an open porch to street right of way setback of 5' in lieu of 18.75'. To permit a window to tract boundary setback of 25' in lieu of 35'. To permit a building to tract boundary setback of 25' in lieu of 30'. To permit an open porch to tract boundary setback of 17' in lieu of 26.25'. To permit a window to street right of way, property line setback of 12' in lieu of 25'.
- Lot 7: To permit a building to street centerline setback of 29' in lieu of 50'. To permit a building to street right of way setback of 15' in lieu of 25'. To permit an open porch to street centerline setback of 21' in lieu of 37.5'. To permit an open porch to street right of way setback of 7' in lieu of 18.75'. To permit a window to tract boundary setback of 29' in lieu of 35'. To permit a building to tract boundary setback of 29' in lieu of 30'. To permit an open porch to tract boundary setback of 21' in lieu of 26.25'. To permit a window to street right of way property line setback of 15' in lieu of 25'. To permit a window to property line setback of 0' in lieu of 15'.
- Lot 8: To permit a window to street right of way, property line setback of 5' in lieu of 25'. To permit a window to property line setback of 5' in lieu of 15'. To permit a dwelling unit or windowed door to centerline of travelled way setback of 25' in lieu of 47'.

Schedule A - Oella - Site 5

1 of 4

91-408-A

- Lot 9: To permit a window to street right of way, property line setback of 11' in lieu of 25'. To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47'.
- Lot 10: To permit a window to street right of way, property line setback of 11' in lieu of 25'. To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47'.
- Lot 11: To permit a minimum building separation of 36' in lieu of 40'. To permit a window to window distance at 37' in lieu of 40'. To permit a window to street right of way, property line setback of 11' in lieu of 25'. To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47'.
- Lot 12: To permit a minimum building separation of 36' in lieu of 40'. To permit a window to window distance at 37' in lieu of 40'. To permit a window to street right of way, property line setback of 11' in lieu of 25'. To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47'.
- Lot 13: To permit a window to street right of way, property line setback of 11' in lieu of 25'. To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47'.
- Lot 14: To permit a window to street right of way, property line setback of 11' in lieu of 25'. To permit a dwelling unit or windowed door to centerline of travelled way setback of 31' in lieu of 47'.
- Lot 15: To permit a window to street right of way, property line setback of 18' in lieu of 25'. To permit a dwelling unit or windowed door to centerline of travelled way setback of 37' in lieu of 47'.
- Lot 16: To permit a minimum building separation of 12' in lieu of 30'. To permit an open porch to side property line setback of 7' in lieu of 11.25'. To permit a window to window distance at 12' in lieu of 40'. To permit a window to property line setback of 7' in lieu of 15'.
- Lot 17: To permit a minimum building separation of 12' in lieu of 30'. To permit an open porch to side property line setback of 5' in lieu of 11.25'. To permit a window to window distance of 12' in lieu of 40'. To permit a window to property line setback of 5' in lieu of 15'.

Schedule A - Oella - Site 5

2 of 4

91-408-A

- Lot 20: To permit a minimum building separation of 15' in lieu of 30'. To permit an open porch to side property line setback of 7.5' in lieu of 11.25'. To permit a window to window distance of 15' in lieu of 40'. To permit a window to property line setback of 7' in lieu of 15'.
- Lot 21: To permit a minimum building separation of 15' in lieu of 30'. To permit an open porch to side property line setback of 7' in lieu of 11.25'. To permit a window to window distance of 15' in lieu of 40'. To permit a window to tract boundary setback of 17' in lieu of 35'. To permit a building to tract boundary setback of 16' in lieu of 30'. To permit an open porch to tract boundary setback of 20' in lieu of 26.25'. To permit a window to property line setback of 7' in lieu of 15'.
- Lot 22: To permit a window to property line setback of 7' in lieu of 15'.
- Lot 23: To permit a minimum building separation of 14' in lieu of 30'. To permit an open porch to side property line setback of 7' in lieu of 11.25'. To permit a window to window distance of 14' in lieu of 40'. To permit a window to property line setback of 7' in lieu of 15'.
- Lot 24: To permit a minimum building separation of 14' in lieu of 30'. To permit an open porch to side property line setback of 7' in lieu of 11.25'. To permit a window to window distance of 14' in lieu of 40'. To permit a window to property line setback of 7' in lieu of 15'.
- Lot 25: To permit a minimum building separation of 4' in lieu of 30'. To permit a window to window distance of 6' in lieu of 40'. To permit a window to property line setback of 3' in lieu of 15'.
- Lot 26: To permit a minimum building separation of 4' in lieu of 30'. To permit a window to window distance of 6' in lieu of 40'. To permit a window to property line setback of 3' in lieu of 15'.

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Schedule A - Oella - Site 5

91-408-A

- Lot 27: To permit a minimum building separation of 14' in lieu of 30'. To permit an open porch to side property line setback of 7' in lieu of 11.25'. To permit a window to window distance of 14' in lieu of 40'. To permit a window to property line setback of 7' in lieu of 15'.
- Lot 28: To permit a minimum building separation of 14' in lieu of 30'. To permit an open porch to side property line setback of 7' in lieu of 11.25'. To permit a window to window distance of 14' in lieu of 40'. To permit a window to property line setback of 6' in lieu of 15'.
- Lot 29: To permit a minimum building separation of 14' in lieu of 30'. To permit an open porch to side property line setback of 7' in lieu of 11.25'. To permit a window to window distance of 14' in lieu of 40'. To permit a window to property line setback of 6' in lieu of 15'.
- Lot 30: To permit a minimum building separation of 14' in lieu of 30'. To permit an open porch to side property line setback of 7' in lieu of 11.25'. To permit a window to window distance of 14' in lieu of 40'. To permit a window to property line setback of 6' in lieu of 15'.
- Lot 31: To permit a minimum building separation of 14' in lieu of 30'. To permit an open porch to side property line setback of 7' in lieu of 11.25'. To permit a window to window distance of 14' instead of 40'. To permit a window to property line setback of 6' in lieu of 15'.
- Lot 32: To permit a minimum building separation of 14' in lieu of 30'. To permit an open porch to side property line setback of 7' in lieu of 11.25'. To permit a window to window distance of 14' in lieu of 40'. To permit a window to property line setback of 6' in lieu of 15'.
- Lot 33: To permit a window to property line setback of 3' in lieu of 15'.
- Lot 22 thru 33: To permit parking space dimensions for the required 24 spaces to be 5' by 17' in lieu of 8.5' by 18'. To permit a two-way aisle width for the proposed perpendicular parking to be 14' in lieu of 22'.

Studies #37 Variance 5

4 of 4

Schedule A - Oella - Site 5

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Mr. Alan F. Stubbs
718 Oella Avenue
Ellicott City, Maryland 21043

Re: Case Number: 91-408-A
Location: Oella Subdivision

Dear Mr. Stubbs:

In response to your letter dated June 13, 1991, enclosed please find a listing of the variances requested in the above referenced case. Although the bulk of the relief requested deals with bringing existing structures up to code, you can see from the listing, that this petition is quite extensive, making the balance of the information you requested difficult to outline in simple letter form. A visit to our offices is suggested. At that time you may obtain copies of any paperwork on file. Photocopies up to 8-1/2 x 14 inches cost \$1.00 each. You may also obtain photocopies of the plat at a cost of \$2.00 per page (in this order to ensure you receive the specific information you want, we must photocopy everything on file and charge you for same).

The office is open weekdays from 8:30 a.m. to 4:30 p.m. and is located at 111 W. Chesapeake Avenue, Towson, Maryland 21204 in the County Office Building, Room 113.

Very truly yours,

J. Robert Haines

Zoning Commissioner
Baltimore County, Maryland

June 13, 1991

Mr. J. Robert Haines
Zoning Commissioner
Zoning Office
Room 113
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Alan F. Stubbs
718 Oella Ave.
Ellicott City, Maryland 21043

Dear Mr. Haines:

You currently have case #91-408A pending in your office. I would like an explanation of the variances sought by the builder for this location and any foreseen impact to the limited roadway available in that area. Photo copies of the plat and/or diagrams of alterations would be appreciated.

I am also concerned about plans to increase housing along a roadway that by the nature of the terrain is very narrow. Increased building will present increased safety hazards to citizens currently living in the area.

There is also a problem of parking along Oella Avenue. It was my understanding that parking directly off Oella Avenue is prohibited, yet the Oella Company, (the builder in the area) continues to maintain four parking spaces located in a dangerous curve in the roadway.

There are houses nearer to the intersection of Oella Ave and Westchester that do not have any parking available to their homes and as a result park directly in the street presenting a very real and continued hazard to vehicular and pedestrian traffic. Any information regarding zoning ordinances and enforcement for correcting this problem would be appreciated.

Should you care to discuss this matter please feel free to contact me at 965-9917. Thank you in advance for your assistance in this matter.

Sincerely yours,

Alan F. Stubbs
Alan F. Stubbs

LAW OFFICES
FRANK, BERNSTEIN, CONAWAY & GOLDMAN
SUITE 630
100 EAST LOMBARD STREET
BALTIMORE, MARYLAND 21202
(410) 683-3500
10227 WINDSOR CIRCLE
COLUMBIA, MARYLAND 21044
(410) 730-3857
7300 LEE SHUMWAY PIKE
TYSONS CORNER, VIRGINIA 22043
(703) 833-4670
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 821-3100
FACSIMILE (301) 821-3106
CABLE FRANKCOP
TELETYPE 878336
118 WEST CHURCH STREET
FREDERICK, MARYLAND 21701
(301) 663-5335
6701 DEMOCRACY BOULEVARD
BETHESDA, MARYLAND 20817
(301) 987-9262
WRITER'S DIRECT NUMBER
821-3103

July 23, 1991

HAND-DELIVERY

Timothy M. Kotroco,
Deputy Zoning Commissioner
for Baltimore County
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Charles L. Wagandt
Case No. 91-408-A

Dear Tim:

In furtherance of your request of the other day at the close of the hearing on the above-noted Petition, please find enclosed an original and two original copies of a proposed order.

Also, please find enclosed the three most recent orders from the period of the last four years where Bob and Anne granted similar variances. The format of the Order is substantially the same as Bob's 1987 Order, which also involved a large number of variances.

Should you have any questions upon your review of this draft order and should you desire that we make any modifications or alterations to this draft, please do not hesitate to give me a call. Should you desire, you might wish to merely indicate any changes in the draft order on the fact of the order and we will have those changes interdelinated. Thanking you in advance for your courtesies, I look forward to hearing from you during the coming days.

Sincerely,

Stuart P. Kaplow

SDK:cjg
Enclosures
cc: Mr. Charles L. Wagandt
Ronald P. Fish, Esq.



WHITMAN, REQUARDT and ASSOCIATES

April 10, 1991

ZONING DESCRIPTION
Lot 4

BEGINNING at a point on the south side of the turn-around of the Proposed Oella Site 5 County Road 40 feet wide at a distance of 605 feet south of the centerline of Oella Avenue as measured along the southerly side of the said Proposed County Road, thence leaving said south side and running for lines of division the four following courses and distances, (1) South 31°54'43" West, 53.00 feet; (2) South 85°49'40" West, 84.18 feet; (3) North 01°40'12" West, 76.78 feet; (4) North 12°56'02" East, 27.38 feet to a point on the aforementioned Proposed County Road and binding along the south side of said road the two following courses and distances, (5) North 77°03'58" East, 61.97 feet; (6) Southeasterly along a curve to the right having a radius of 70.00 feet, for a distance of 63.39 feet, being subtended by a chord bearing and distance of South 51°07'18" East, 61.25 feet to the point of BEGINNING. Containing 0.2039 acres of land, more or less. Also known as 623 Pleasant Hill Road in the 1st Election District.

SED#31Lok4

**PETITIONER'S
EXHIBIT 2**

WHITMAN, REQUARDT and ASSOCIATES

April 10, 1991

ZONING DESCRIPTION
Lot 5

BEGINNING at a point on the south side of the turn-around of the Proposed Oella Site 5 County Road 40 feet wide at a distance of 667 feet south of the centerline of Oella Avenue as measured along the southerly side of the Proposed County Road, thence leaving said south side and running for lines of division the six following courses and distances, (1) South 12°56'02" West, 27.38 feet; (2) South 01°40'12" East, 76.78 feet; (3) South 85°49'40" West, 62.36 feet; (4) North 48°07'42" West, 94.00 feet; (5) North 71°47'51" East, 80.12 feet; (6) North 58°32'43" East, 54.48 feet to a point on the aforementioned Proposed County Road and binding along the south side of said road the two following courses and distances, (7) South 12°56'02" West, 5.00 feet; (8) South 77°03'58" East, 15.00 feet to the point of BEGINNING. Containing 0.2094 acres of land, more or less. Also known as 785 Oella Avenue in the 1st Election District.

SED#31Lok5

WHITMAN, REQUARDT and ASSOCIATES

April 10, 1991

ZONING DESCRIPTION
Lot 6

BEGINNING on the east side of Oella Avenue 30 feet wide at a distance of 351 feet north of the centerline of Glen Avenue as measured along the easterly side of Oella Avenue and binding along said east side the two following courses and distances, (1) North 01°19'20" East, 9.79 feet; (2) North 02°49'57" East, and distances, (1) North 02°49'57" East, 60.46 feet; (2) North 35°08'03" East, 5.12 feet to a point at the beginning of the North 83°29'56" East, 6.56 foot line of the southerly outline of "Oella, Parcels A, B, C1 and C2 for Herring Hill, Long Brick Row and Short Brick Row, Sheet 1 of 2," dated June 19, 1984 and recorded among the Plat Records of Baltimore County in Plat Book No. 51, at folio 81, and thence running with and binding on said line and the southerly outline of said Parcel C1 the following two courses and distances, (3) North 83°29'56" East, 6.56 feet; (4) due East, 137.58 feet, thence leaving said southerly outline of Parcel C1 and running for lines of division the five following courses and distances, (5) due South, 43.76 feet; (6) South 12°56'02" West, 46.07 feet; (7) North 82°19'54" West, 81.11 feet; (8) North 55°45'59" West, 10.06 feet; (9) North 82°19'54" West, 51.47 feet to the point of BEGINNING. Containing 0.1664 acres of land, more or less. Also known as 783 Oella Avenue in the 1st Election District.

SED#31Lok6

WHITMAN, REQUARDT and ASSOCIATES

April 10, 1991

ZONING DESCRIPTION
Lot 7

BEGINNING on the east side of Oella Avenue 30 feet wide at a distance of 419 feet north of the centerline of Glen Avenue as measured along the easterly side of Oella Avenue and binding along said east side the two following courses and distances, (1) North 02°49'57" East, 60.46 feet; (2) North 35°08'03" East, 5.12 feet to a point at the beginning of the North 83°29'56" East, 6.56 foot line of the southerly outline of "Oella, Parcels A, B, C1 and C2 for Herring Hill, Long Brick Row and Short Brick Row, Sheet 1 of 2," dated June 19, 1984 and recorded among the Plat Records of Baltimore County in Plat Book No. 51, at folio 81, and thence running with and binding on said line and the southerly outline of said Parcel C1 the following two courses and distances, (3) North 83°29'56" East, 6.56 feet; (4) due East, 137.58 feet, thence leaving said southerly outline of Parcel C1 and running for lines of division the five following courses and distances, (5) due South, 43.76 feet; (6) South 12°56'02" West, 46.07 feet; (7) North 82°19'54" West, 81.11 feet; (8) North 55°45'59" West, 10.06 feet; (9) North 82°19'54" West, 51.47 feet to the point of BEGINNING. Containing 0.2615 acres of land, more or less. Also known as 781 Oella Avenue in the 1st Election District.

SED#31Lok7

WHITMAN, REQUARDT and ASSOCIATES

April 10, 1991

ZONING DESCRIPTION
Lot 8

BEGINNING on the northwest side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 512 feet south of the centerline of Oella Avenue as measured along the northwesterly side of the Proposed County Road and binding along said northwest side the four following courses and distances, (1) South 32°15'07" West, 6.50 feet; (2) Southwesterly along a curve to the right, having a radius of 50.00 feet, for a distance of 54.12 feet, being subtended by a chord bearing and distance of South 63°15'44" West, 51.52 feet; (3) North 12°56'02" East, 18.43 feet; (4) North 77°03'58" West, 84.50 feet, thence leaving said northwest side of the Proposed County Road and running for lines of division the following course and distance, (5) due North, 43.76 feet to a point on the southerly outline of "Parcel C1, Short Brick Row," of the Plat of "Oella, Parcels A, B, C1 and C2 for Herring Hill, Long Brick Row and Short Brick Row, Sheet 1 of 2" dated June 19, 1984 and recorded among the Plat Records of Baltimore County in Plat Book No. 51, at folio 81 and thence running with and binding on said southerly outline of Parcel C1 the two following courses and distances, (6) due East 8.42 feet; (7) North 37°13'54" East, 19.79 feet, thence leaving the outline of Parcel C1 and running for lines of division the following course and distance, (8) South 57°44'53" East, 126.89 feet to the point of BEGINNING. Containing 0.1344 acres of land, more or less. Also known as Lot 9, Oella Site 5.

SED#31Lok8

WHITMAN, REQUARDT and ASSOCIATES

April 10, 1991

ZONING DESCRIPTION
Lot 9

BEGINNING on the northwest side of the Proposed Oella Site 5 Public Road 40 feet wide at a distance of 484 feet south of the centerline of Oella Avenue as measured along the northwesterly side of the Proposed County Road and binding along said northwest side the following course and distance, (1) South 32°15'07" West, 28.00 feet, thence leaving said northwest side of the Proposed County Road and running for lines of division the following course and distance, (2) North 57°44'53" West, 126.89 feet to a point on the easterly outline of "Parcel C1, Short Brick Row," of the Plat of "Oella, Parcels A, B, C1 and C2 for Herring Hill, Long Brick Row and Short Brick Row, Sheet 1 of 2" dated June 19, 1984 and recorded among the Plat Records of Baltimore County in Plat Book No. 51, at folio 81 and thence running with and binding on said easterly outline of Parcel C1 the following course and distance, (3) North 37°13'54" East, 28.11 feet, thence leaving the outline of Parcel C1 and running for lines of division the following course and distance, (4) South 57°44'53" East, 124.45 feet to the point of BEGINNING. Containing 0.0808 acres of land, more or less. Also known as Lot 9, Oella Site 5.

SED#31Lok9